

## Message Text

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ACTION IO-10

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TAGS: CGEN, PFOR, UN

SUBJ: MEETING WITH NEW YORK CITY BOARD OF EDUCATION OFFICIALS  
ON PLAN TO CHARGE TUITION TO FOREIGN STUDENTS

REF: USUN 6783; STATE 297969

1. WE MET DECEMBER 17 WITH JOSEPH ELIAS, ASSISTANT TO ALFREDO MATTHEW, EXECUTIVE DIRECTOR OF BOARD OF EDUCATION FOR COMMUNITY SCHOOL AFFAIRS TO DISCUSS NEW YORK CITY PLAN TO CHARGE TUITION TO FOREIGN PUPILS. MATTHEW WAS NOT PRESENT. ACCOMPANYING MISOFF WERE REPRESENTATIVES OF UN SECRETARIAT AND NEW YORK CITY COMMISSION FOR UN AND CONSULAR CORPS.

2. ELIAS DISCUSSED PROBLEMS FACED BY BOARD OF EDUCATION AS RESULT OF NEW YORK CITY FISCAL PROBLEMS. HE STATED THAT MORE THAN 8,000 TEACHERS HAD BEEN LAID OFF AND POINTED OUT THAT MORE THAN 3,000 ADDITIONAL TEACHERS WOULD BE LAID OFF WHEN SPRING TERM BEGAN IN FEBRUARY 1976. BOARD, HE SAID, WAS TRYING FIND WAYS TO ALLEVIATE PROBLEM, AND TUITION FROM FOREIGN STUDENTS WOULD BE HELPFUL.

3. WE ASKED ELIAS TO EXPLAIN STATUS OF BOARD'S PROPOSALS AND LEGAL BASIS FOR PROPOSED TUITION CHARGE. HE STATED  
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THAT TWO CONCRETE DECUSIONS HAD BEEN MADE. CHILDREN

WITH F-1 VISAS WOULD BE CHARGED TUITION AND NON-RESIDENT AMERICAN CITIZENS WOULD BE CHARGED. WITH RESPECT TO INTERNATIONAL ORGANIZATION NON-IMMIGRANTS, DIPLOMATS, BUSINESS PEOPLE AND EXCHANGE STUDENTS, A FINAL DECISION HAD NOT YET BEEN MADE. PARENTS OF CHILDREN IN THESE CATEGORIES WILL NOT BE ASKED TO PAY TUITION UNTIL SEPTEMBER 1976 AND POSSIBLY NOT AT THAT DATE. THERE WERE A NUMBER OF QUESTIONS RAISED CONCERNING LEGALITY OF BOARD'S ACTIONS. ELIAS PROMISED SUBMIT LEGAL QUESTIONS RAISED TO ATTORNEYS REPRESENTING BOARD OF EDUCATION.

4. WE EXPLAINED POSITION OF DEPARTMENT OF STATE AS OUTLINED IN STATE'S 297969, AND EXPRESSED CONCERN OVER PROPOSED TUITION POLICY. ELIAS STATED THAT ALTHOUGH BOARD RECEIVED SOME FEDERAL FUNDING, IT WAS BY A SPECIFIC FORMULA AND IT HAD NO RELATIONSHIP WHATEVER TO FUNDS FOR CHILDREN OF DIPLOMATS OR FOREIGN STUDENTS. HE SAID BOARD FELT FOREIGN STUDENTS WERE AN ASSET, AND IN MOST INSTANCES HIGHLY EDUCABLE, AND BOARD DID NOT WANT THEM TO LEAVE SYSTEM.

5. ELIAS EXPRESSED HOPE THAT FEDERAL "IMPACT" ASSISTANCE MIGHT BE OBTAINED TO HELP PAY FOR EDUCATION OF CHILDREN OF UNITED NATIONS STAFF MEMBERS AND DIPLOMATS. HE ASKED IF DEPARTMENT OF STATE COULD SUPPORT SUCH LEGISLATION.

6. DURING MEETING WE RAISED SUBJECT OF NOTE VERBALE FROM AMBASSADOR TRAMPCZYNSKI (POLAND) TO SECRETARY KISSINGER CONCERNING CASE OF SON OF HENRYK NIERODA OF GDYNIA AMERICAN LINE. WE WERE ASSURED SON MICHAL WOULD BE ADMITTED TO NEWTOWN HIGH SCHOOL. WE HAVE SUGGESTED TO NIERODA THAT HE REGISTER HIS SON AT ONCE.

7. IT WOULD APPEAR THAT BOARD OF EDUCATION DOES NOT PLAN TO BEGIN CHARGING TUITION UNTIL AT LEAST SEPTEMBER 1976. IN UNDERTAKING FURTHER INVESTIGATION INTO LEGALITY OF PROPOSED ACTIONS, BOARD MAY FIND THERE IS NO LEGAL BASIS FOR CHARGING TUITION. IT SEEMS CLEAR THAT BOARD'S PLANS, AND PUBLICITY GIVEN TO PLANS, IS A PLOY TO OBTAIN FEDERAL "IMPACT" ASSISTANCE. BOARD IS DESPERATELY IN NEED OF MONEY. IT MUST FIND NEW WAYS TO IMPLEMENT BUDGET CUTS MANDATED BY LIMITED OFFICIAL USE

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NEW YORK CITY BUDGET CRISIS IN ORDER TO KEEP ON AS MANY TEACHERS AS POSSIBLE, AND TO CONTINUE AS MANY PROGRAMS AS ITS BUDGET WILL ALLOW. MEMBERS OF BOARD HAVE NOTED SUCCESS OF ABZUG-BUCKLEY BILL AND FEEL THAT WITH ENOUGH PRESSURE, FEDERAL FUNDING CAN ALSO BE OBTAINED FOR BOARD OF EDUCATION.

8. PROPOSED ACTION - WE BELIEVE BEST COURSE OF ACTION WE

CAN TAKE IS TO SUGGEST TO BOARD THAT IT GO TO NEW YORK  
CONGRESSIONAL DELEGATION AND REQUEST THAT APPROPRIATE  
LEGISLATION BE DRAFTED AND SUBMITTED TO HOUSE AND SENATE.  
WE WOULD APPRECIATE AUTHORIZATION FROM DEPT TO MAKE THIS  
SUGGESTION. BOARD HAS ASKED IF DEPT OF STATE WILL SUPPORT  
ITS EFFORTS TO OBTAIN "IMPACT" ASSISTANCE. WE WOULD LIKE  
TO ADVISE BOARD THAT DEPT MUST RESERVE ITS POSITION  
UNTIL LEGALITY OF BOARD'S ACTION ON TUITION BECOMES  
CLEAR AND UNTIL DEPT CAN STUDY LEGISLATION SUBMITTED  
BY NEW YORK CONGRESSIONAL DELEGATION,  
BUT THAT WE WOULD HOPE TO ADOPT A SYMPATHETIC ATTITUDE.  
DEPT'S APPROVAL OF TWO SUGGESTIONS IS REQUESTED.  
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